

State of California



FAIR POLITICAL PRACTICES COMMISSION

428 J Street Suite 620
Sacramento, California 95814
(916) 322-5660

CONSOLIDATED AUDIT REPORT:

Steve Westly
Westly for Controller (1230847)
300 Capitol Mall, Suite 1850
Sacramento, CA 95814

January 1, 2000 through December 31, 2002

TREASURER:

Kinde Durkee
601 South Glen Oaks Boulevard, #211
Burbank, CA 91502

CONTRIBUTIONS AND EXPENDITURES:

Total Contributions Received:	\$ 11,358,831
Total Expenditures:	\$ 11,443,317

The totals for contributions received and expenditures were taken from the unaudited campaign statements as filed with the Secretary of State for the period indicated above.

BACKGROUND INFORMATION:

The committee was formed on December 22, 2000 and is controlled by Steve Westly, California State Controller.

AUTHORITY FOR AUDIT:

This audit was made under the authority of Sections 90001, 90004 and 90006 of the California Government Code.

SCOPE OF AUDIT:

The audit was performed in accordance with generally accepted auditing standards and the auditing standards set by the Fair Political Practices Commission. The audit included such tests of the accounting records and other such auditing procedures as were considered necessary in the circumstances.

OPINION:

The filer, in our opinion, has not fully complied with the disclosure and recordkeeping provisions of the Political Reform Act (Government Code Section 81000 et seq.) and related rules and regulations of the Fair Political Practices Commission.

ONLINE DISCLOSURE:

Twenty-five contributions totaling \$590,200 were not timely disclosed online.

Reference Exhibit A

Ms. Durkee stated that for the initial contributions received during the online filing period, the committee misinterpreted advice received from the FPPC. As soon as the committee realized the error, the online disclosure was made. She also stated that for contributions received after the general election, the committee relied on the Secretary of State's filing calendar which was misleading.

Two of the contributions were received shortly after the new code sections requiring online disclosure went into effect and were disclosed within sixty days of receipt, well before the primary election. Twenty of the contributions were received after the election.

Prepared by the Fair Political Practices Commission pursuant to Sections 90001, 90004 and 90006 of the Government Code. Adopted this 16th day of August, 2004.

LIST OF EXHIBITS:

EXHIBIT A – UNTIMELY ONLINE DISCLOSURE

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EXHIBIT A - UNTIMELY ONLINE DISCLOSURE

<u>Contributor</u>	<u>Amount</u>	<u>Date Received</u>	<u>Disclosure Required</u>	<u>Disclosure Made</u>	
James Morris	5,000.00	10/31/01	11/15/01	11/29/01	(1)
Barry Schiffman	5,000.00	10/09/01	10/23/01	11/29/01	(1)
Morongo Band	5,000.00	04/09/02	04/23/02	06/19/02	
Steve Westly	400,000.00	10/02/02	10/03/02	10/04/02	
Digital Campaigns Inc	10,200.00	10/01/02	10/02/02	10/17/02	
CA Assn of Hwy Patrolmen	10,000.00	11/06/02	11/21/02	01/14/03	(2)
CA Assn of Hwy Patrolmen	5,000.00	11/06/02	11/21/02	01/14/03	(2)
CA State Cncl of Laborers	10,000.00	11/06/02	11/21/02	01/14/03	(2)
CSEA	10,000.00	11/18/02	12/04/02	01/14/03	(2)
CA Teachers Assn	20,000.00	11/27/02	12/13/02	01/14/03	(2)
CA Teachers Assn	10,000.00	12/19/02	01/04/03	01/14/03	(2)
CDF Firefighters	5,000.00	11/19/02	12/05/02	01/14/03	(2)
COPE CA Labor Federation	5,000.00	11/25/02	12/11/02	01/14/03	(2)
Michelle Dillabough	10,000.00	12/06/02	12/20/02	01/14/03	(2)
e-celerator fund	15,000.00	12/06/02	12/20/02	01/14/03	(2)
Health Care Workers	5,000.00	12/04/02	12/18/02	01/14/03	(2)
Hewlett Packard	10,000.00	11/20/02	12/06/02	01/14/03	(2)
Michael Jacobson	5,000.00	11/06/02	11/21/02	01/14/03	(2)
Pacific Bell	10,000.00	12/06/02	12/20/02	01/14/03	(2)
Prof Engrs in CA Govt	10,000.00	11/18/02	12/04/02	01/14/03	(2)
Julio Ramirez	5,000.00	11/06/02	11/21/02	01/14/03	(2)
State Bldg & Const Trades	5,000.00	11/26/02	12/12/02	01/14/03	(2)
State Bldg & Const Trades	5,000.00	12/11/02	12/26/02	01/14/03	(2)
Natl Abandoned Property	5,000.00	11/27/02	12/13/02	01/14/03	(2)
Angelo Tsakopoulos	5,000.00	11/20/02	12/06/02	01/14/03	(2)

Total \$ 590,200.00

(1) Receipts prior to election cycle (subtotal \$10,000)

(2) Post-election receipts (subtotal \$165,000)